



## Recommendation for Action

**File #:** 20-3482, **Agenda Item #:** 21.

12/10/2020

### **Posting Language**

Approve a recommendation of the Arts Commission to deaccession “Bicentennial Fountain” by Ken Fowler, located at the entrance to Vic Mathias Shores at Lady Bird Lake Metro Park between South 1st St. and W. Riverside Dr., donated to the City, prior to the creation of the Art in Public Places program.

### **Lead Department**

Economic Development Department.

### **Fiscal Note**

Funding of the costs associated with deaccessioning is available in the FY2021 Operating Budget of the Parks and Recreation Department.

### **For More Information:**

Sylnovia Holt-Rabb, Acting Director, Economic Development Department, 512-974-3131; and Susan Lambe, Art in Public Places Program Manager, 512-974-7852.

### **Council Committee, Boards and Commission Action:**

On August 3, 2020, the Art in Public Places Panel appointed members to serve on a Special Jury required to make recommendations for deaccession of Art in Public Places collection artwork, per the Art in Public Places Program’s Acquisitions and Deaccessioning Policy, adopted by the Arts Commission on December 15, 2008. On August 26, 2020, the Arts Commission initiated the deaccession process for this artwork, one of five under consideration.

On September 28, 2020, the Arts Commission appointed a Special Jury member.

On November 16, 2020, the Arts Commission approved the deaccession of “Bicentennial Fountain” on consent on Vice Chair Polgar’s motion, Commissioner Fonte’s second on a 7-0 vote. Absent: Commissioner Mok, Commissioner Van Dyke, Commissioner Garza (one vacancy).

### **Additional Backup Information:**

The Art in Public Places Program’s Acquisitions and Deaccessioning Policy recommends best practices for regular assessments of the public art collection, and establishes criteria, policies and procedures regarding removing an artwork from the collection, or deaccessioning.

The Arts Commission received requests for the deaccession of five (5) artworks at their regular monthly meeting on August 26, 2020, and approved initiation of the deaccession process for these five artworks, including “Moments” by Carl Trominski, 2003, at the Lamar Underpass; “Republic Square Fountain” by James Turner, 1988, at Republic Square Park; “LAB” by NextProject, 2009, along the bikeway from MOPAC to Airport Blvd.; “Bicentennial Fountain” by Ken Fowler, 1976, at Auditorium Shores; and “Karst Circle” by W. Gary Smith, 2004, at Austin Fire Station 43/EMS Station 31.

Per the Deaccession Policy, the Arts Commission and the Art in Public Places Panel appointed a Special Jury of qualified members to assess the question of deaccessioning and make recommendations to the Arts Commission (jury membership listed below). The Deaccession Special Jury met on November 12, 2020, to

---

review and make recommendations for each of the five artworks. The Special Jury recommended to deaccession “Bicentennial Fountain” and remove the artwork from public display, specifying that the existing time capsule be placed in storage to be opened in 2076 as planned.

Donated in 1976, “Bicentennial Fountain” was constructed by Parks and Recreation Department staff with the help of Ken Fowler. “Bicentennial Fountain” has rusted beyond repair. The steel sculpture has been exposed to water for 44 years creating severe rust that has rendered this piece a public safety hazard. Because Austin has been in Conservation Stage Water Restrictions for many years the pumps no longer function. After being reviewed by experts, this artwork was approved for deaccession. This problem is specifically noted in the deaccession policy as a reason to remove the artwork. This is a normal part of the public art process and helps maintain a safe and high quality art collection. The Special Jury recommended unanimously that “Bicentennial Fountain” be deaccessioned.

The Arts Commission voted unanimously at their November 16, 2020, meeting to approve the deaccession of “Bicentennial Fountain”. In addition, the Parks and Recreation Department has stated their support of the deaccession. To finalize the deaccession of “Bicentennial Fountain”, in accordance with Deaccessions Policy, City Council must now vote on the item.

If City Council votes to accept the recommendation of the Arts Commission to deaccession “Bicentennial Fountain”, it will be removed from the city’s public art collection listing. The artwork will be removed from public display and the time capsule will be placed in storage in order to open in 2076.

#### **MEMBERS OF SPECIAL JURY**

Elaine Shen, appointed by the Art in Public Places Panel  
Jade Walker, appointed by the Arts Commission  
Tammie Rubin, Chair, Art in Public Places Panel  
Sarah Carr, Art in Public Places Panel member  
J. Muzacz, Art in Public Places Panel member  
Brett Barnes, Arts Commissioner and liaison to the Art in Public Places Panel.

**CLL 3** - Strengthen our portfolio of culture and lifelong learning programs, events and facilities by engaging and building trust with the community to ensure equitable access and participation, and that services are aligned with community expectations.

**CLL 4** - Maintain a mapped inventory of City and non-City cultural and historical assets to identify and address service gaps while accurately recognizing, preserving and, elevating the profile of place-based and underrepresented histories, narratives, and gathering spaces.

#### **Strategic Outcome(s):**

Culture and Lifelong Learning